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U.S. DISTRICT COURT
CR-07-1045-CRI "SEALED"

Date Filed 08/28/2007

Entry Number 5 (Court only)

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AUG 28 2007

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

LARRY W. PROFFER, CLERK
FLORENCE, SC

UNITED STATES OF AMERICA

vs.

JOSE SERRANO

) CRIMINAL NO. 07-1045
) 21 U.S.C. § 846
) 21 U.S.C. § 841(a)(1)
) 21 U.S.C. § 841(b)(1)(A)
) 21 U.S.C. § 853
) 21 U.S.C. § 881(a)(1)
) 28 U.S.C. § 2461(a)
) INDICTMENT

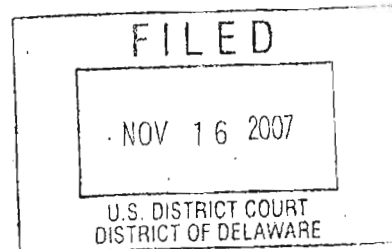
USDC of DE - 07-230-M

COUNT 1

THE GRAND JURY CHARGES:

That beginning at a time unknown to the Grand Jury, but beginning at least in or around 2001, and continuing thereafter up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants [REDACTED] and JOSE SERRANO, knowingly and willfully did combine, conspire, confederate and agree together and have tacit understanding with each other and with various other persons, both known and unknown to the Grand Jury, to knowingly, intentionally, and unlawfully possess with intent to distribute and to distribute 5 kilograms or more of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);

All in violation of Title 21, United States Code, Section 846.



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FORFEITURE

1. DRUG-TRAFFICKING OFFENSES

A. As a result of their violation of Title 21, United States Code, Sections 846 and 841 as charged in Count 1 of this Indictment, upon conviction, the Defendants [REDACTED] and JOSE SERRANO, shall forfeit to the United States all of the Defendants' right, title and interest in and to any property, real and personal,

- (1) constituting, or derived from, any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (2) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (3) any firearms and ammunition (as defined in 18 U.S.C. § 921) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable thereto.

B. Pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2) and 881(a)(11) and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for offenses charged in this Indictment includes, but is not limited to, the following property or proceeds thereof, as to which the Defendants are jointly and severally liable:

- (1) **Total Cash Proceeds:**
A sum of money equal to all property the Defendants obtained, directly or indirectly from, or used to facilitate, the Title 21 offenses charged in the Indictment, that is, approximately \$250,000 in United States currency and all interest and proceeds traceable thereto, in that such sum in the aggregate constitutes proceeds the Defendants obtained directly or indirectly as the result of such violations of Title 21, United States Code or were used to facilitate such violations;

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2. SUBSTITUTION OF ASSETS:

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants --

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third person;
- C. has been placed beyond the jurisdiction of the Court;
- D. has been substantially diminished in value; or
- E. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 21, United States Code, Sections 853 and 881(a)(11), and Title 28, United States Code Section 2461(a).

A. True BILL

/s/Grand Jury Foreperson
FOREPERSON

/s/Reginald I. Lloyd
REGINALD I. LLOYD (ABP)
UNITED STATES ATTORNEY